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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DIALLO HAMADOU, MUHAMMAD  
SHAHJAHAN, and FRANK ASIEDU, on behalf of  
themselves individually, and on behalf of all others  
similarly situated,

Plaintiffs,

-against-

HESS CORPORATION, HESS MART, INC.,  
MAMADOU GUEYE, TOUS PHILLIP, JORGE  
BALL, ABC CORPORATION, and JOHN DOES 1-3,

Defendants.

No. 12 Civ. 0250 (CM)(JLC)

**NOTICE OF PLAINTIFFS' MOTION FOR CERTIFICATION OF THE  
SETTLEMENT CLASS, FINAL APPROVAL OF THE CLASS ACTION  
SETTLEMENT, AND APPROVAL OF THE FLSA SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion for Certification of the Settlement Class, Final Approval of the Class Action Settlement, and Approval of FLSA Settlement ("Plaintiffs' Motion for Final Approval"), in the Declaration of Justin M. Swartz in Support of Plaintiffs' Motion For Final Approval, and the supporting exhibits attached thereto, Plaintiffs respectfully request that the Court enter an Order:

- (1) certifying a Settlement Class consisting of:

All individuals who worked at Hess as a Sales Associate in Hess gas stations located in Hess Territories 8 and/or 10 of Region 2 in the Bronx and Queens (“Covered Territories”) between January 12, 2006 and May 23, 2013.

- (2) granting final approval of the Joint Stipulation of Settlement and Release (“Settlement Agreement”), attached as Exhibit A to the Swartz Declaration;
- (3) granting final approval of the FLSA Settlement; and
- (4) granting any other relief that the Court deems just and proper.

\* \* \*

Plaintiffs have contemporaneously submitted a Proposed Order, attached hereto as

**Exhibit A**, for the Court’s convenience.

Dated: June 2, 2015  
New York, New York

Respectfully submitted,  
**OUTTEN & GOLDEN LLP**

/s/ Justin M. Swartz  
Justin M. Swartz

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**Attorneys for Plaintiffs, the Class, and Collective**